



John Salomone
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Office of the Town Clerk

Tanya D. Lane MMC
Town Clerk

(Please Publish Forthwith—Once Only—Zoned Legal Notice)

NOTICE OF PUBLIC HEARING

TOWN OF NEWINGTON, CONNECTICUT
JUNE 24, 2014

Notice is hereby given that the Town Council of the Town of Newington, Connecticut, will hold a Public Hearing at the Town Hall, Conference Room L-101, 131 Cedar Street, Newington, Connecticut, on Tuesday, June 24, 2014 at 6:30 p.m. for the following purpose:

To hear comments on the following resolution:

TOWN OF NEWINGTON

TOWN COUNCIL

RESOLUTION AUTHORIZING AN APPROPRIATION OF \$30,373,970 FOR THE TOWN HALL/COMMUNITY CENTER PROJECT AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$30,373,970, AS WELL AS ESTABLISHING A DATE FOR A REFERENDUM

RESOLVED, (1) That the Town of Newington (the “Town”) appropriate the sum of \$30,373,970 for costs related to the Town Hall/Community Center project, consisting of (1) the planning, design, demolition, renovation, repair and reconstruction of the Newington Town Hall located at 131 Cedar Street, which shall include, without limitation, (i) the demolition of existing gymnasium space, (ii) the renovation, repair and reconstruction of offices, conference rooms, public areas, lavatories, and storage space and other support areas, (iii) improvements to air quality, ventilation, heating and air conditioning systems, (iv) the replacement and/or removal of core building infrastructure, (v) code compliance work, including handicapped accessibility code improvements, (vi) hazardous material abatement, (vii) the renovation and/or conversion of interior spaces, the making of exterior façade improvements, and the installation of new windows and roofing systems, (viii) room, wall and floor construction and renovations, and (ix) all alterations, repairs and improvements in connection therewith; (2) the planning, design and construction of a community center facility comprising approximately 33,140 square feet in Mill Pond Park, which shall include, without limitation, (i) gymnasium space, administrative offices for the Town’s Parks and Recreation Department, a kitchen, an exercise and dance room, a teen room, areas for day care, arts and crafts, meeting room space, storage space and other support areas, public areas and lavatories, (ii) electrical, mechanical, plumbing, lighting, HVAC system and other building system improvements, and (iii) code compliance work, including handicapped accessibility code improvements; (3) the purchase of furniture, fixtures, equipment and other materials for the foregoing project; (4) on-site and off-site improvements, technology improvements and environmental remediation and abatement work related to the foregoing project; (5) the preparation and printing of bid

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documents, cost estimate reports and studies, environmental reports, informational materials and other preliminary materials, studies and reports related to the project; and (6) design, demolition, construction, site work, engineering, construction management, architectural, legal, administration, temporary and permanent financing costs and expenses and any other costs and expenses related thereto, all of the above with such changes as the Town Council may approve (the “Project”). The Town Council is authorized to determine the scope and particulars of the Project. The Town Council may reduce or modify the scope of the Project if funds are insufficient to complete all components of the Project, and the entire appropriation authorized hereby may be spent on the Project as so reduced or modified.

(2) That to finance said appropriation for the Project, the Town issue bonds or notes in an amount not to exceed \$30,373,970 (or so much thereof as may be necessary after deducting grants or other sources of funds received by the Town for said project). The bonds or notes shall be issued pursuant to Chapter 109 of the Connecticut General Statutes, Revision of 1958, as amended (the “Connecticut General Statutes”), including, without limitation, Section 7-369 of the Connecticut General Statutes, and any other enabling acts.

(3) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Project or the receipt of grants for the Project. The amount of the notes outstanding at any time shall not exceed \$30,373,970. The notes shall be issued pursuant to the Town Charter and Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(4) That the Town Manager and the Director of Finance of the Town (the “Officials”) be authorized to sign said bonds or notes by their manual or facsimile signatures and to determine the amounts, rates of interest, dates, maturities, dates of principal and interest payments on such bonds or notes, the form of such bonds or notes; the provisions for protecting and enforcing the rights and remedies of the holders of such bonds or notes and all other terms, conditions and particular matters regarding the issuance and securing of such bonds or notes and to execute, sell and deliver the same, and provide all supporting documentation as may be necessary or desirable to accomplish such purposes and to comply with the requirements of the Internal Revenue Code of 1986, as amended, Securities and Exchange Commission Rule 15c2-12, the Town Charter, the provisions of the Connecticut General Statutes and any other applicable provision of law thereto enabling. The bonds and notes authorized hereby shall be general obligations of the Town secured by the full faith and credit of the Town.

(5) That the Officials are hereby authorized to designate a bank or trust company to be the certifying bank, registrar, transfer agent and paying agent for such bonds and notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; that the law firm of Updike, Kelly & Spellacy, P.C., Hartford, Connecticut, is designated as the attorneys at law to render an opinion approving the legality of such issue or issues.

(6) That the Officials are authorized to sell the bonds and notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes. If the bonds or notes authorized by this resolution are issued on a tax-exempt basis, the Officials are authorized to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes, including covenants to pay rebates of investment earnings to the United States in future years.

(7) That the Town hereby declares its official intent under Federal Income Tax Regulations Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the Project. The Officials are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(8) That the Officials are authorized to make representations and enter into written agreements or otherwise covenant for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws of rules pertaining to the sale or purchase of such bonds or notes.

(9) That the Town Manager is hereby authorized, on behalf of the Town, to execute any contracts with engineers, contractors, architects and other persons for the Project, to apply for and accept state grants to finance the appropriation for the Project, and to execute and file any application or enter into any grant agreement or other obligations prescribed by the State of Connecticut.

(10) That the Officials are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing and to issue bonds or notes to finance the aforesaid appropriation.

(11) That this resolution shall become effective after it has been voted on and approved by a majority of the qualified electors voting thereon at referendum duly called and held for such purpose.

BE IT FURTHER RESOLVED,

- (1) That should the Town Council adopt the foregoing resolution, pursuant to Section C408 of the Town Charter, said resolution shall be submitted to the voters at referendum to be held on Tuesday, August 19, 2014, between the hours of 6:00 a.m. and 8:00 p.m., for a yes or no vote, in the designated voting locations in the manner provided by said Charter and the Connecticut General Statutes, Revision of 1958, as amended, and that the Town Clerk is directed to post and publish notice of such referendum in accordance with the provisions of said Charter and the Connecticut General Statutes, which notice shall state the question to be voted on as follows:

“Shall the resolution entitled, ‘RESOLUTION AUTHORIZING AN APPROPRIATION OF \$30,373,970 FOR THE TOWN HALL/COMMUNITY CENTER PROJECT AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$30,373,970’, be approved?

Yes _____ No _____”

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The ballot label for said question shall read as follows:

“Shall the Town of Newington appropriate \$30,373,970 for the town hall/community center project and authorize the issuance of general obligation bonds and notes in the same amount to finance said appropriation?
Yes _____ No _____”

BE IT FURTHER RESOLVED, That the Town Council hereby authorizes the preparation and printing by the Town Clerk, subject to the approval of the Town Attorney, of explanatory text for the question approved hereby for submission to the voters at referendum on August 19, 2014 specifying the intent and purpose of the Project in accordance with Section 9-369b of the Connecticut General Statutes. Subject to the approval of the Town Attorney, the Town Council further authorizes the preparation and printing of materials concerning the question approved hereby for submission to the voters at referendum in addition to the explanatory text in accordance with Section 9-369b of the Connecticut General Statutes.

Copies of the foregoing resolution are on file and open to inspection at the office of the Town Clerk, Town Hall, Newington, Connecticut for the use or inspection of any interested person.

Dated at Newington, Connecticut, this 13th day of June, 2014.

Attest: Tanya D. Lane, MMC
Town Clerk